

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
Lewis F. Powell, Jr. United States Courthouse Annex
1100 E. Main Street, Suite 501
Richmond, Virginia 23219-3517

Patricia S. Connor
Clerk

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FILED
CHARLOTTE, N. C.

APR 27 2005

U. S. DISTRICT COURT
W. DIST. OF N. C.

April 27, 2005

Gretchen C. F. Shappert, Esq.
OFFICE OF THE U. S. ATTORNEY
Suite 1700
Carillon Building
227 West Trade Street
Charlotte, NC 28202

Theodore Howze Jr.
FEDERAL MEDICAL CENTER COUNTY UNIT LEXINGTON
#09498-058
P. O. Box 14500
Lexington, KY 40512

Re: 05-4163 US v. Theodore Howze, Jr.
CR-98-299

Dear Appellant and Counsel:

Enclosed is a copy of an order filed today in this case.

Yours truly,

PATRICIA S. CONNOR
Clerk

/s/ Joy Hargett
By: _____

Deputy Clerk

Enclosure(s)

cc: Clerk, U. S. District Court

FILED: April 27, 2005

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-4163
(CR-98-299)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

THEODORE HOWZE, JR.,

Defendant - Appellant.

O R D E R

Appellant has filed a CJA 23 affidavit seeking leave to proceed on appeal in forma pauperis. The CJA 23 affidavit filed by appellant in this Court is protected from public disclosure pursuant to the Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files.

By order dated February 28, 2005, the district court denied appellant leave to proceed in forma pauperis. Appellant is currently incarcerated, and a review of his financial affidavit, prisoner trust account and presentencing report indicates that he is without sufficient financial resources to advance the costs and fees associated with this direct criminal appeal.

The Court grants appellant leave to proceed on appeal in
forma pauperis and seals the CJA 23 affidavit.

For the Court - By Direction

/s/ Patricia S. Connor

Clerk

A True Copy, Teste:

Patricia S. Connor, Clerk

BY

Joy Hargrett
Deputy Clerk